National Gay Groups Denounce Pedophilia

by Cara DeGette

In what may be the most inclusive statement of solidarity on the issue ever gathered, local gay and lesbian organizations and their national counterparts have joined to simultaneously condemn the North American Man/Boy Love Association.

Frank Whitworth, the office manager of Colorado Springs-based Ground Zero, said he was prompted to collect data on various groups' positions after a recent televised town meeting where participants inferred homosexuals regularly sexually abuse children. A subsequent editorial in *The Independent* last week calling for gay and lesbian groups to denounce NAMBLA also spurred him into action, he said.

"We need to make our positions clear," Whitworth said. "It's time for American society as a whole to recognize the victimization of its youth through child molestation and abuse, and to dedicate itself to attacking the problem."

NAMBLA is a New York-based organization that supports sexual relationships between men and adolescent, as well as pre-adolescent, boys. Bill Andriotte, a NAMBLA spokesman, said about 1,000 members belong to the group.

Members of NAMBLA have been involved in gay and lesbian marches in recent years. The organization has also been a member of the International Lesbian and Gay Association for 10 years, prompting conservative Christian groups and others to decry the "mainstream" gay and lesbian community as sympathetic to the association.

"A lot of people have been talking about NAMBLA, and felt it was time to take a stand," said Donna Red Wing, the National Coordinator for the Gay and Lesbian Alliance Against Defamation (GLAAD).

"NAMBLA is not about being gay or lesbian; NAMBLA is about sexually abusing children," she said.

"We must refuse them a seat at our table. And, if somehow we find them at the table, or in the march, or in the coalition, we must be willing to throw them out. NAMBLA is about the use and abuse of children. NAMBLA is about adult men who f* children. It is time to draw the line."**

– Donna Red Wing, National Coordinator, GLAAD

Red Wing's comments do not represent an official position of the national organization, but the issue is scheduled for discussion and a statement of position during the group's annual board meeting next month, said Fred Humphrey, the male co-chair of GLAAD. There are seven chapters of the national organization, with a total of approximately 13,000 paid members.

Humphrey said he also personally hopes his organization denounces NAMBLA once and for all. A statement of position is needed not just for the media, he said, but to help define the group's position on high-profile marches for gay and lesbian rights.

While there is no blanket organization that represents all gay and lesbian organizations, other groups have, in the past week, either completely denounced NAMBLA or reaffirmed opposition to the organization.

Nationally, those groups include: Parents and Friends of Lesbians and Gays (P-FLAG); the Human Rights Campaign Fund, the largest gay and lesbian national organization, with more than 80,000 members; and the Log Cabin Republicans, a Washington-based gay organization.

In Colorado, gay, lesbian, bi-sexual and transgendered groups have joined in denouncing NAMBLA in particular and pedophilia in general, including Ground Zero, La Guia, Pueblo After 2, the Colorado Alliance to Restore Equality, The Common Decency Coalition and Eagle County for Human Rights. Equality Colorado and the Pikes Peak Gay and Lesbian Community Center have issued statements opposing pedophilia.

Efforts have also been launched recently to expel the organization from the international group ILGA. Earlier this year, a committee of the organization's secretariats asked NAMBLA to resign, and refunded the group's 1993 dues. ILGA representatives have said they will propose expelling NAMBLA at the 1994 World Body Conference if the group refuses to resign.

The national steering committee for Stonewall 25, a group planning a huge march on the United Nations in New York next June, also stated its opposition to any individuals or organizations that condone pedophilia, and encouraged ILGA to disassociate itself from the man/boy love group.

NAMBLA's Andriotte said his organization has no plans to resign from ILGA, and dismissed as "dishonest" the statements of condemnation by gay and lesbian groups of NAMBLA.

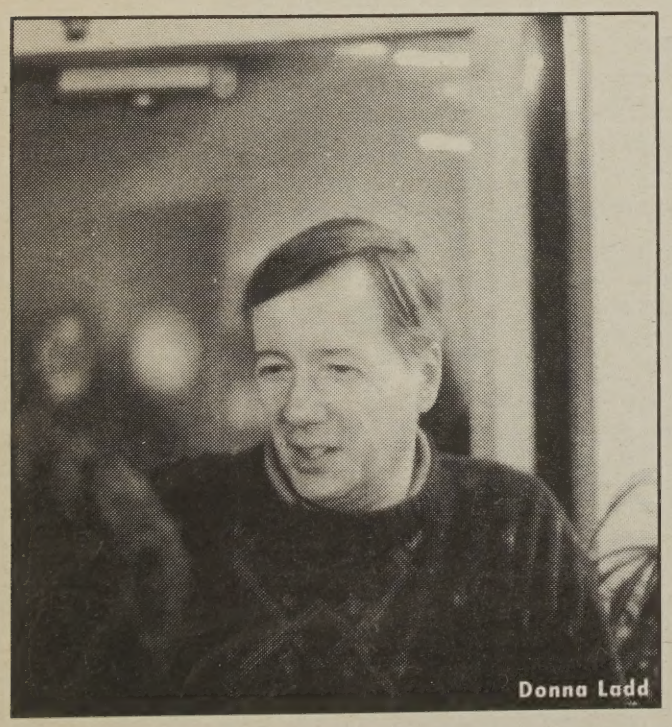
"Man/boy love has been predominant in gay culture and the gay movement," Andriotte said. "What's happening is there are those in the gay and lesbian movement who are better organized – who see themselves as having access to real power for the first time."

Indeed, Alan Dee, the director of public relations for Stonewall 25, said the group would not deny NAMBLA's First Amendment right to march next June. Andriotte indicated his group definitely plans to be involved in the march.

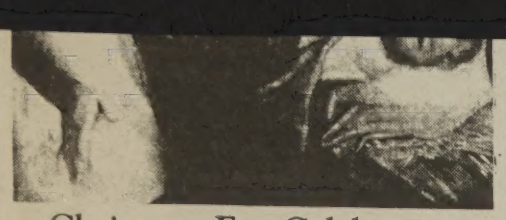
"In no way does the participation of NAMBLA in the international march on the U.N. indicate support," Dee said.

That may cause some consternation among the groups that have denounced NAMBLA, including GLAAD's Red Wing and George Neighbors, the national director for P-FLAG. Both have said they would refuse to march in the same venue as NAMBLA.

"We must refuse them a seat at our table," Red Wing said. "And, if somehow we find them at the table, or in the march, or in the coalition, we must be willing to throw them out. NAMBLA is about the use and abuse of children. NAMBLA is about adult men who f*** children. It is time to draw the line."



An editorial in last week's *Independent* prompted Ground Zero's Frank Whitworth to launch a national campaign denouncing pedophilia in the gay community.



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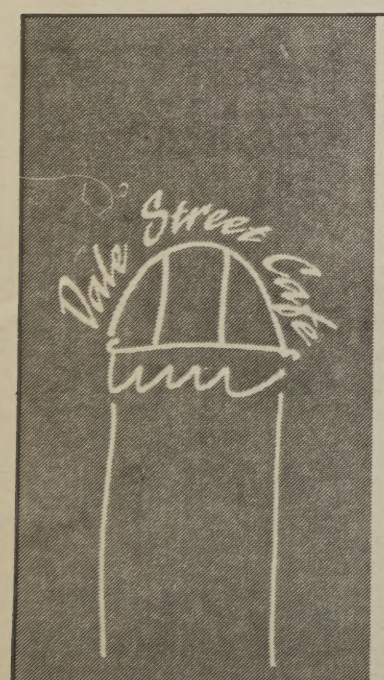

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after the extensive coverage Amendment 2 received in the state's media last week.

For those who haven't been to law school, or even to a civics class in quite some time, many of the terms involved may be less than clear. Also, some people may not have a clear understanding of what Bayless' decision and opinion meant. That is, what, if anything, has changed after last week's events.

What Bayless' decision did

Three things.

First, Bayless' decision retains Amendment 2 as part of the state constitution but also holds it in permanent injunction. That is, unless either the Colorado Supreme Court or the U.S. Supreme Court reverses this decision, Amendment 2 will never be enforced.

Second, the decision maintains the status quo in Colorado. Cities that have ordinances to protect gays, lesbians and bisexuals still have them. Cities that don't have them are free to vote them in if they choose.

"We're not dealing with a situation where there's a whole lot of precedent," said an El Paso County legal source. "I don't think [a sexual orientation discrimination case] would be thrown out, but I don't know what the result would be either."

Last, although the opinion did not

this year. Walta's proposal attempted to protect gays from discrimination without giving them protected class status.

"Under existing case law," said Walta, "they've got no case. If two soldiers went into [a restaurant], they would have a claim under the Colorado Civil Rights Act (which protects persons from discrimination based on military status). If a divorced person were turned away, [he or she] would have a claim.

"But if people were turned away because they were gay, they would not have a claim in Colorado Springs. But they would have a claim in Boulder or the other cities with protective ordinances."

Bayless' decision is similar to Walta's proposal in that it doesn't extend affirmative action, quotas or other similar protection to gays and lesbians.

However, Walta's proposal would have protected gays from discrimination in terms of housing, employment and public accommodation *statewide*, something Bayless' opinion did not do. Bayless' decision did, however, allow Boulder, Denver and Aspen to retain their laws that protect gays, lesbians and bisexuals.

"I think Bayless' decision was predictable," said Walta. "Ultimately, the people of Colorado are going to have to reach a sensible solution on this."

A Legal Glossary

Keeping these legal terms straight is no small feat.

Protected class status refers to any class of persons that receives protection by law. Bayless' opinion identified two types of protected classes: **suspect class** and **quasi-suspect class**.

According to Bayless' opinion, the U.S. Supreme Court has recognized three **suspect classes**: race, alienage and national origin. Race and national origin are fairly familiar terms, but alienage refers to the legal status of an alien, a citizen of another country. For example, it is against the law to deny the children of aliens access to public schools.

The Supreme Court has also identified two **quasi-suspect classes**: gender and illegitimacy. At one point, there were several laws targeted at children born out of wedlock.

The judiciary has attached certain classifications of review for laws dealing with each of these two classes. The more "protected" the class, the closer and tougher the judicial scrutiny.

Laws dealing with suspect classes are subjected to what is called **"strict scrutiny."** Laws dealing with quasi-suspect classes are subject to **"heightened scrutiny."**

Laws regarding any other identifiable group are subject to **"rational basis review."** Just as the name implies, there must be a rational basis for the law regarding this group.

"Actually, every law in the books discriminates against and for someone," said Robert Lorch, a professor of political science who teaches constitutional law at the University of Colorado at Colorado Springs. "All the state has to have is a good reason for doing it. There has to be a rational basis for the law serving some governmental purpose."

For example, people who speed on the highway are an identifiable group, yet we have laws that "discriminate" against them. The rational basis for speeding laws is that if drivers drive slower, fewer people will die in highway accidents, more fuel will be saved, etc.

Also, although the U.S. Supreme Court has identified five examples of suspect and quasi-suspect classes in its opinions, the Colorado Civil Rights Act recognizes race, creed, color, sex, national origin, disability, age, marital status and military status as grounds to claim protection from discrimination.

—*Andrew Gorgey*